



Item.....
Meeting..... 2018 October 29

COUNCIL REPORT

TO: CITY MANAGER 2017 October 24

FROM: DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE #16-57
Proposed M5‘r’ Restaurant**

ADDRESS: Portion of 7650 Winston Street (see *attached* Sketch #1)

LEGAL: Lot 104, DL 42, Group 1, NWD Plan 45236

FROM: M5 Light Industrial District

TO: CD Comprehensive Development District (based on M5r Light Industrial District as a guideline, and in accordance with the development plan entitled “El Comal Restaurant” prepared by Gabbot3Drafting)

APPLICANT: Gabbott3Drafting
21156 Cutler Place,
Maple Ridge, BC, V2X 8R1
Attn: Stephen Gabbott

PURPOSE: To seek Council authorization to forward this application to a Public Hearing on 2018 November 20 at 7:00 pm.

RECOMMENDATIONS:

1. **THAT** a Rezoning Bylaw be advanced to First Reading on 2018 October 29 and to a Public Hearing on 2018 November 20 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
 - a) The submission of a suitable plan of development.

R E P O R T

1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit a restaurant (El Comal Mexican restaurant) within an existing multi-tenant industrial development, to serve the day-to-day needs of adjacent industrial developments and their employees.

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2.0 BACKGROUND

2.1 The subject site comprises three tenant spaces (units 7650, 7652, and 7654 Winston Street) within a one-storey multi-tenant industrial building on the subject property. The tenant spaces have an area of approximately 756.23 m² (8,140 sq. ft.) and are currently used by El Comal Mexican Foods Corporation for manufacturing and warehousing of food products. The front portion of 7652 Winston Street is also currently utilized for the accessory retail sale of foods produced on the premises. A small restaurant use operated in the facility for a period of time, without the necessary approvals and permits. This operation has since ceased pending Council consideration of the subject rezoning.

The subject property (7650 Winston Street) is located south of Winston Street, between McConnell Drive and Lozells Avenue (see Sketch #1 *attached*). This property, which is zoned M5 Light Industrial District, is located within the Government Road neighbourhood and is designated General Industrial in the Official Community Plan (OCP). The property is not located within a Community Plan Area. The subject property is adjacent to M5 Light Industrial District zoned properties to the east, south, and west and R1 Residential District zoned properties to the north, across Winston Street. Vehicular access to the site is from Winston Street.

2.2 On 1979 April 02, Council gave Final Adoption to a text amendment to the Burnaby Zoning Bylaw to create the M'r' zoning district, which accommodates cafes or restaurants serving the day-to-day needs of industrial developments and their employees. The provision of restaurants in industrially zoned areas was considered appropriate in recognition of the apparent lack of public restaurant facilities in certain industrial areas. However, due to the potential issues that could result from the blanket addition of cafes and restaurants as a permitted principal use in industrial zones, it was considered prudent for Council to consider each application on its own merits, through the utilization of a sub-category in each zoning district. A set of locational policy guidelines have also been adopted by Council to assist in the evaluation of each proposed rezoning to an M'r' District.

2.3 On 2017 January 30, Council received the initial report of the Planning and Building Department regarding the rezoning of the subject site and authorized the Department to continue to work with the applicant in preparing a suitable plan of development, with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

3.0 GENERAL COMMENTS

3.1 The applicant is requesting that an approximately 107.58 m² (1,158 sq. ft.) portion of the subject site be rezoned from the M5 Light Industrial District to the CD Comprehensive Development District (based on M5'r' Light Industrial District) to permit a restaurant

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with a maximum of 50 seats. The restaurant area would occupy the front portion of units 7654 and 7652 Winston Street. The proposed restaurant would operate Monday to Saturday, from 9:00 a.m. to 5:00 p.m., and would meet the general meal service needs of employees within the industrial building on-site and in the surrounding industrial area. The restaurant would primarily serve foods that are made with products that are produced on the premises. There are no proposed changes to the façade of the building, and the overall development has sufficient parking provisions to accommodate the proposed restaurant use.

3.2 The following is an assessment of this rezoning proposal utilizing Council adopted guidelines for M 'r' restaurants:

3.2.1 *Existing commercial restaurant facilities should not be situated in close proximity nor within easy walking distance of the people working within the industrial area.*

The nearest restaurants and commercially zoned lands are located at Lougheed Highway and Bainbridge Avenue, and at Lougheed Highway and Production Way, both of which are approximately 2.0 km away from the subject site. There is one M1'r' restaurant located approximately 350.0 m (1,148 ft.) to the southwest (4171 McConnell Drive) as well as one M5'r' zoned property which does not currently have a restaurant, located approximately 2.0 km from the site to the east (3610 Bonneville Place). The existing restaurant facilities in the area are beyond an easy walking distance (122.0 m [400.26 ft.]) of the people working within the subject industrial area.

3.2.2 *M'r' restaurants should not be located in close proximity, nor have direct access to a major traffic thoroughfare.*

While the proposed restaurant is fronting Winston Street, which is classified as a Major Collector – Primary, it is partially screened by a landscaped buffer along the south side of Winston Street. The subject building is located approximately 23.0 m (76 ft.) from the street due to the location of the existing parking in front of the building.

3.2.3 *The accessibility to industrial development guidelines state that the site of M'r' restaurants should be centrally located, convenient, and accessible to the employees of the industrial area it will serve.*

The proposed restaurant is centrally located on the northern edge of industrial properties in the area, adjacent to Winston Street which has bike lanes on both sides. This property is considered to be conveniently located to serve the day-to-day needs of the surrounding industrial area.

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3.2.4 The restaurant facility should have a sufficient market in the industrial area to support it. Alternatively, the restaurant is not likely to draw a significant proportion of its patronage from outside locations and thus attract large volumes of traffic into the area.

Considering the absence of restaurant facilities within an easy walking distance from the site, there is a sufficient market to support the proposed restaurant. It should be noted that the operation of the accessory retail use for number of years and the demand to expand this operation is an indicator of a sufficient market in the industrial area to support the restaurant. Furthermore, given the relatively small size of the proposed restaurant and limited hours of operation, it is not likely to draw a significant portion of its patronage from outside locations

In summary, the proposed restaurant generally meets Council-adopted guidelines for assessing rezoning applications for M'r' restaurants.

4.0 DEVELOPMENT PROPOSAL

4.1 Floor Area of Subject Site

Office	- 21.09 m ² (227 sq. ft.)
Retail/Restaurant	- 107.58 m ² (1,158 sq. ft.)
Manufacturing	- 357.21 m ² (3,845 sq. ft.)
Warehouse	- 270.35 m ² (2,910 sq. ft.)
Total	- 756.23 m² (8,140 sq. ft.)

4.2 Floor Area to be Rezoned (M5'r' District) - 107.58 m² (1,158 sq. ft.)

4.3 Off-Street Parking - 60 spaces on the subject property (no change)

4.4 Off-Street Loading - 16 spaces on the subject property (no change)

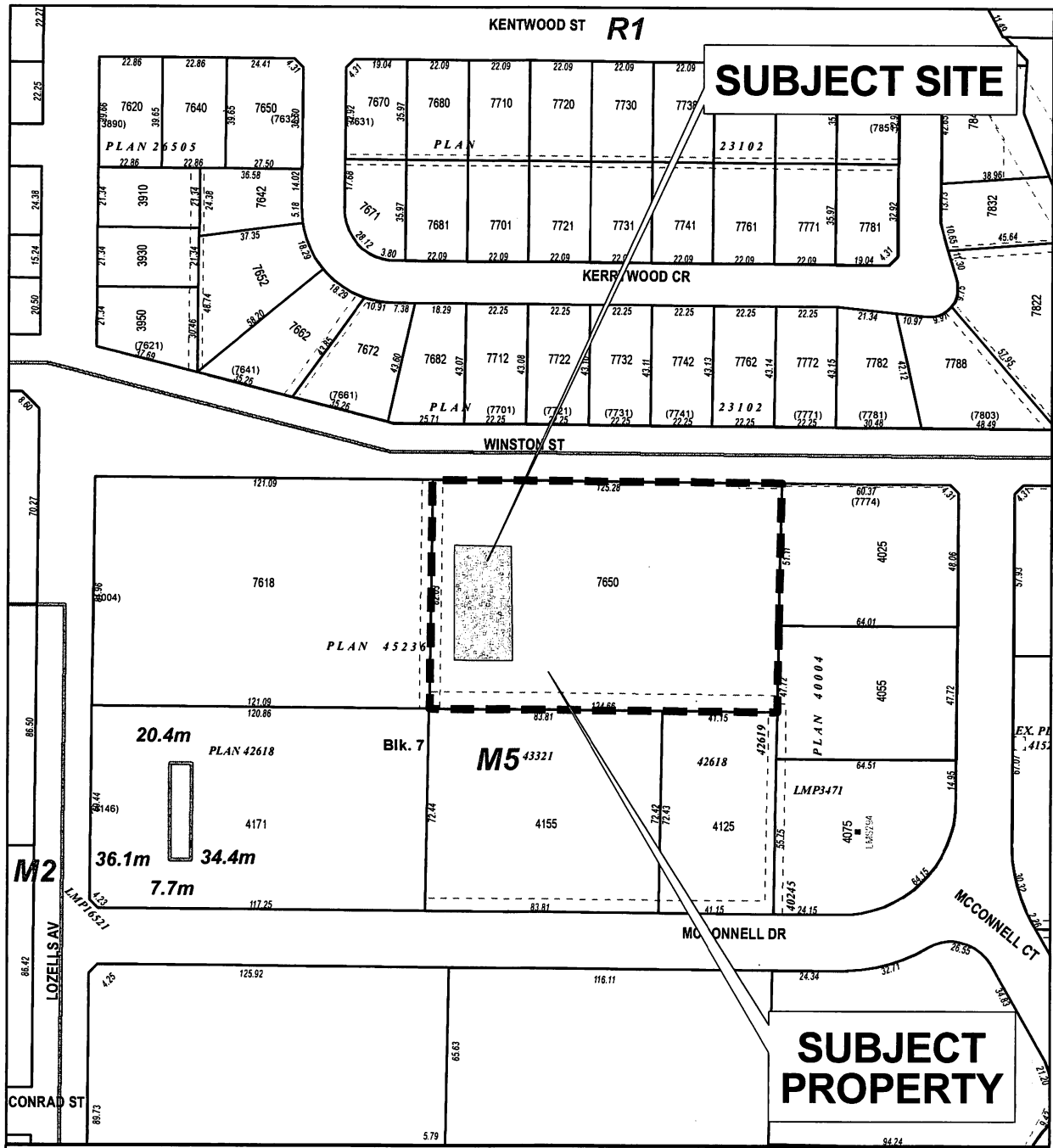


Lou Pelletier, Director
PLANNING AND BUILDING

MN:tn

Attachment

cc: City Solicitor City Clerk



PLANNING & BUILDING DEPARTMENT



DATE:
SEP 28 2018

SCALE:
1:2,300

DRAWN BY:
AY

REZONING REFERENCE #16-57
PORTION OF 7650 WINSTON STREET

 Subject Property  Subject Site